

Jeb Bush  
Governor

# Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

David B. Struhs  
Secretary

## CERTIFIED - RETURN RECEIPT REQUESTED

November 22, 1999

U. S. Army Corps of Engineers  
c/o Mr. Richard E. Bonner, P.E.  
Jacksonville District  
Post Office Box 4970  
Jacksonville, Florida 32232-0019

Dear Mr. Bonner:

Permit Number: 0129417-001-JC

Project Name: Ponce DeLeon Inlet Maintenance Dredging

Your request for a Joint Coastal Permit, issued pursuant to Chapter 161 and Part IV of Chapter 373, Florida Statutes, and Title 62, Florida Administrative Code, has been approved by the Department. Please read the enclosed permit and permit conditions closely before starting construction. Particularly note the permit conditions pertaining to written reports which must be submitted to the Department at specified times.

Please direct any questions regarding this document to me by letter at the above address (add Mail Station 300), or by telephone at (850) 487-4471, ext. 121.

Sincerely,

Keith J. Mille

Environmental Specialist

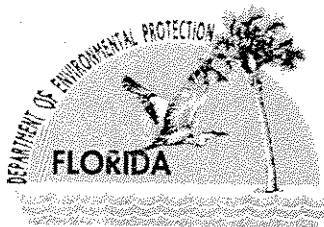
Bureau of Beaches and Coastal Systems

KJM  
Enclosures

**November 22, 1999**  
**Mr. Richard Bonner**  
**File No. 0129417-001-JC**  
**Page 2**

copies (with attachments) furnished to:

Don Fore, USACOE Jacksonville District  
Tim Murphy, USACOE Jacksonville District  
Pricilla Arnold, USACOE Jacksonville District  
Bill Fonferek, USACOE Jacksonville District  
Joe Nolin, Volusia County, Ponce DeLeon Inlet Port Authority  
Don Palmer, USFWS, Jacksonville  
Eric Hawk, NMFS, Southeast Regional Office, St. Petersburg  
David Arnold, FWCC, BPSM  
Terry Zable, DEP, Central District Office, Orlando  
Paden Woodruff, DEP, OBCS  
FWCC Florida Marine Patrol  
OBCS Permit Information Center  
OBCS File



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# Department of Environmental Protection

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3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

David B. Struhs  
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## JOINT COASTAL PERMIT CONSOLIDATED JOINT COASTAL PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

**PERMITTEE/AUTHORIZED ENTITY:**

U. S. Army Corps of Engineers  
c/o Mr. Richard E. Bonner, P.E.  
Jacksonville District  
Post Office Box 4970  
Jacksonville, Florida 32232-0019

**Permit/Authorization No:** 0129417-001-JC

**Date of Issue:** November 22, 1999

**Expiration Date:** November 22, 2009

**County:** Volusia

**Project:** Ponce de Leon Inlet Maintenance  
Dredging

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This permit is issued under the authority of Chapter 161 and Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.). This permit constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act, and certification of compliance with state water quality standards pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341.

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, and Sections 253.002 and 253.77, F.S. The activity is not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take final action on this request for proprietary authorization in accordance with Section 18-21.0051, F.A.C., and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21, Section 62-343.075, F.A.C., and the policies of the Board of Trustees.

As staff to the Board of Trustees, the Department has reviewed the activity described below, and has determined that the activity qualifies for a Consent of Use, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. Therefore, consent is hereby granted, pursuant to Chapter 253.77, F.S., to perform the activity on the specified sovereign submerged lands.

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*"Protect, Preserve, and Promote the Quality of Florida's Natural Resources"*

The U. S. Army Corps of Engineers (Corps) is hereby authorized to construct the work in accordance with the permit project description and conditions, including the water quality monitoring requirements, the final "construction plans and specifications", and other application documents attached hereto or on file with the Department and specifically made a part hereof.

The Department will enter into a contractual agreement with the local project sponsor, Volusia County, under which Volusia County will be responsible for conducting monitoring and beach maintenance activities for the protection of nesting marine turtles, their hatchlings and their habitat. The agreement is enforceable against Volusia County and is independent of this permit.

#### **PROJECT DESCRIPTION:**

The project is to maintenance dredge the Ponce de Leon Inlet entrance channel, inlet throat, and inlet channels leading to the Intracoastal Waterway (IWW) in accordance with final plans and specifications. Approximately 200,000 cubic yards are expected to be removed every 4 years to maintain the channel depths. The entrance channel across the ocean bar will be maintained to a depth of -15 ft. (MLW), the inlet throat to a depth of -12 ft., the southward channel to the Intracoastal Waterway to a depth of -12 ft., and the northward channel to the Intracoastal Waterway to a depth of -7 ft. For each cut, an overdredge depth of 2 ft. is authorized. The dredged material consists of fine grained sand with percent fines ranging from less than 1% to less than 20% passing through the #200 sieve.

Beach quality material from the south channel and from the inlet channel may be placed within the south beach placement area located between R-159 through R-161. Beach quality material from the north channel may be placed within the north beach placement area located up to 6,000 ft. north of the north jetty. Dredged material may also be placed in a nearshore disposal area located 1 mile south of the south jetty. Nearshore placement would only occur during emergency situations, when an insufficient quantity of material exists to justify the cost of beach placement, or when the dredged material contains more than 10% fines. Only material containing less than 20 percent fines will be placed in the Nearshore Disposal Area.

During 1999, dredging is also authorized in IWW Cut V-23 located where the northward inlet channel intersects the IWW. The authorized dredge depth is -12 ft., plus 2 ft. overdredge depth. To conduct work at this site, the U.S. Army Corps of Engineers' split-hull hopper dredge CURRITUCK will be used. The amount of material dredged from this site is insufficient to justify placement on the beach, so the nearshore disposal area will be used.

**LOCATION:**

The project is located in the vicinity of Ponce de Leon Inlet, from the Atlantic Ocean to the Indian River and Halifax River, Volusia County, Sections 32 and 37, Township 16 South, Range 34 East, Class III Waters.

**GENERAL CONDITIONS:**

1. All activities approved shall be implemented as set forth in the drawings incorporated by reference and in compliance with the conditions and requirements of this document. The Corps shall notify the Department in writing of any anticipated significant deviation from this authorization prior to implementation so that the Department can determine whether a modification is required. If the Department determines that a deviation is significant, then the Corps or the local sponsor, as appropriate, shall apply for and obtain the modification prior to its implementation.
2. If, for any reason, the Corps does not comply with any condition or limitation specified herein, the Corps shall immediately provide the Department with a written report containing the following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. Compliance with the provisions of this condition shall not preclude the Department from taking any enforcement action allowed under state law to the extent that federal sovereign immunity has been waived under 33 U.S.C. 1323 and 1344(t).
3. The Corps shall obtain any applicable licenses or permits which may be required by federal, state, local or special district laws and regulations. Nothing herein constitutes a waiver or approval of other Department permits or authorizations that may be required for other aspects of the total project. Projects shall not proceed until any other required permits or authorizations have been issued by the responsible agency.
4. Nothing herein conveys title to land or water, constitutes State recognition or acknowledgment of title, or constitutes authority for the use of sovereign land of Florida seaward of the mean high-water line, or, if established, the erosion control line, unless herein provided, and the necessary title, lease, easement, or other form of consent authorizing the proposed use has been obtained from the State.
5. Any delineation of the extent of a wetland or other surface water submitted as part of the application, including plans or other supporting documentation, shall not be considered

specifically approved unless a specific condition of this authorization or a formal determination under Section 373.421(2), F.S., provides otherwise.

6. Nothing herein conveys to the Corps or creates in the Corps any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the Corps or local sponsor, or convey any vested rights or any exclusive privileges.

7. This document or a copy thereof, complete with all conditions, attachments, modifications, and time extensions shall be kept at the work site on the authorized activity. The Corps shall require the contractor to review this document prior to commencement of the authorized activity.

8. The Corps specifically agrees to allow Department personnel with proper identification, at reasonable times and in compliance with Corps specified safety standards access to the premises where the authorized activity is located or conducted for the purpose of ascertaining compliance with the terms of this document and with the rules of the Department and to have access to and copy any records that must be kept; to inspect the facility, equipment, practices, or operations regulated or required; and to sample or monitor any substances or parameters at any location reasonably necessary to assure compliance. Reasonable time may depend on the nature of the concern being investigated.

9. At least forty-eight (48) hours prior to the commencement of authorized activity, the Corps shall submit to the Department a written notice of commencement of activities indicating the anticipated start date and the anticipated completion date.

10. If historic or archaeological artifacts are discovered at any time on the project site, the Corps shall immediately notify the State Historic Preservation Officer, and if a significant deviation is necessary, shall also notify the Department.

11. Within a reasonable time after completion of project construction or a periodic maintenance dredging event, the Corps shall submit to the Department a written statement of completion. This statement shall notify the Department that the work has been completed as authorized and shall include a description of the actual work completed. The Department shall be provided, if requested, a copy of any as-built drawings required of the contractor or survey performed by the Corps.

**SPECIFIC CONDITIONS:**

1. At least 30 days prior to the commencement of each maintenance dredging event to be conducted during the term of this permit, the Corps shall submit to the DEP Office of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, the geotechnical information identified in Specific Condition Nos. 7 and 9 below and a proposed schedule of dredging for the maintenance dredging event.
2. The South Beach Placement Area shall be the primary disposal area for material from the south channel (Indian River) and from the inlet entrance channel, as stated in the Corps' beach disposal plan submitted on October 26, 1998. This plan shall remain in effect unless the Department provides written approval for any modifications.
3. At least 7 days prior to the planned commencement date of construction, the Corps will schedule a pre-construction conference to review the specific conditions of this permit and the environmental protection contract specifications with the Corps' contractors, work crews, the Department's permit staff representative, and the marine turtle permit holder. The permittee shall provide a minimum of 7 days advance written notification to the following offices advising of the date, time, and location of the pre-construction conference:

DEP Office of Beaches and Coastal Systems  
Mail Station 300  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000  
fax: (850) 488-5257

FWCC Bureau of Protected Species Management  
Office of Environmental Services  
620 South Meridian Street  
Tallahassee, Florida 32399-1600  
fax: (850) 921-4369

DEP Central District Office  
Submerged Lands and Environmental Resources Program  
DEP/Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

4. Prior to each dredging event, the Corps will provide two copies of final construction plans and specifications for all authorized activities, which include the project specifications

listed in the Department's Consolidated Notice of Intent to Issue a Joint Coastal Permit and Authorization to Use Sovereign Submerged Lands.

5. Prior to each dredging event, the Corps will provide to the Department two copies of the Contractor's Environmental Protection Plan submitted in accordance with Section 01410, Para. 4.2.3 of the project specifications.
6. In the event that Volusia County does not conduct all necessary marine turtle protection and monitoring requirements, the Corps is still responsible for those marine turtle protection measures specified in the terms and conditions of the U. S. Fish and Wildlife Service Biological Opinion and the plans and specifications for this project.
7. The permittee and the Department, within their respective authorities and funding, shall ensure that beach compatible dredged material is placed on Florida's beaches to the extent economically feasible, consistent with Florida's beach management plan adopted pursuant to Chapter 161, F.S. and other beneficial uses criteria as may be specified by the Department and applicable federal standards. To further the parties' goals for sediment management, prior to each dredging event, the Corps shall provide the Department with existing geotechnical information characterizing the sediments to be dredged and alternative disposal options with projected costs to allow the Department to participate in funding alternative disposal options over the least costly method.
8. All fill material placed shall be sand that is similar to that already existing at the beach site in both coloration and grain size distribution. All such fill material shall be free of construction debris, rocks, or other foreign matter and shall not contain, on average, greater than 10 % fines (i.e. silt and clay, passing the #200 sieve) and shall not contain, on average, greater than 5 % coarse gravel or cobbles, and 10 % whole shell (retained by the #4 sieve). All such material shall be removed and disposed of by the Contractor, as approved by the Corps Contracting Officer.
9. Prior to each dredging event the Corps shall provide the Department with geotechnical information characterizing the sediments to be dredged that is sufficient to determine if the proposed dredged material is suitable for beach and/or nearshore disposal. If the data provided is not adequate to determine the suitability of the proposed disposal option, then additional geotechnical information shall be submitted.
10. In the event a hopper dredge is utilized for sand excavation, all conditions in the NMFS Biological Opinion for hopper dredging along the Southeast U.S. Atlantic Coast (dated August 25, 1995) and Interim Biological Opinion dated April 9, 1997, as amended in the Regional Biological Opinion dated September 25, 1997, must be followed. The Corps shall also forward to the Bureau of Protected Species Management in Tallahassee copies of the reports specified in



Condition No. 6 of the NMFS Biological Opinion. Pursuant to the NMFS Biological Assessment dated March 9, 1999, the use of the CURRITUCK hopper dredge is exempt from the requirements of the NMFS biological opinion.

**MONITORING REQUIRED:**

**Water Quality - Turbidity - Nephelometric Turbidity Units (NTUs)**

Frequency: Twice daily at least 4 hours apart during all dredging and disposal operations.

(Dredge Site) Location:

Background: At mid-depth, at least 300 meters upcurrent from the dredge or discharge point and clearly outside the influence of any turbidity generated by the project.

Compliance: At mid-depth, no more than 150 meters downcurrent from the dredge or discharge point within the densest portion of any visible turbidity plume.

(Beach Disposal Site) Location:

Background: At the surface and 1 meter above the bottom, approximately 150 meters offshore and at least 300 meters upcurrent from the discharge point and clearly outside of the influence of any turbidity generated by this project.

Compliance: At the surface and 1 meter above the bottom, approximately 150 meters offshore and no more than 150 meters downcurrent from the discharge point within the densest portion of any visible turbidity plume.

The compliance locations given above shall be considered the limits of the temporary mixing zone for turbidity allowed during construction. During all maintenance dredging and disposal operations, turbidity levels shall not exceed these standards and mixing zone limits. If monitoring reveals turbidity levels at the compliance sites greater than 29 NTUs above the associated background turbidity levels, construction activities shall cease immediately and not resume until corrective measures have been taken and turbidity has returned to acceptable levels.

The following measures shall be taken by the permittee whenever turbidity levels at the limit of the mixing zone exceed the standards described in the Monitoring Required section, pursuant to Rule 62-302, F.A.C.:

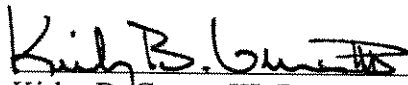
- a. Immediately cease all work contributing to the water quality violation.
- b. Modify the work procedures that were responsible for the violation.

- c. Notify the Office of Beaches and Coastal Systems at (850) 487-4471 and the DEP Central District Office at (407) 893-3311 within 24 hrs. of the time the violation is first detected.

Copies of all reports (Turbidity Monitoring Test Report, Section 01411, Appendix A, Plans and Specifications) shall be submitted to the Office of Beaches and Coastal Systems in Tallahassee and the DEP Central District Office in Orlando on a weekly basis within seven days of collection. The data shall be submitted with a cover letter containing the following information: (1) permit number; (2) a statement describing the methods used in collection, handling, storage and analysis of the samples; (3) a map indicating the sampling locations; and (4) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Kirby B. Green, III, Deputy Secretary

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
Deputy Clerk

11-23-99  
Date

RECEIVED

NOV 22 1999

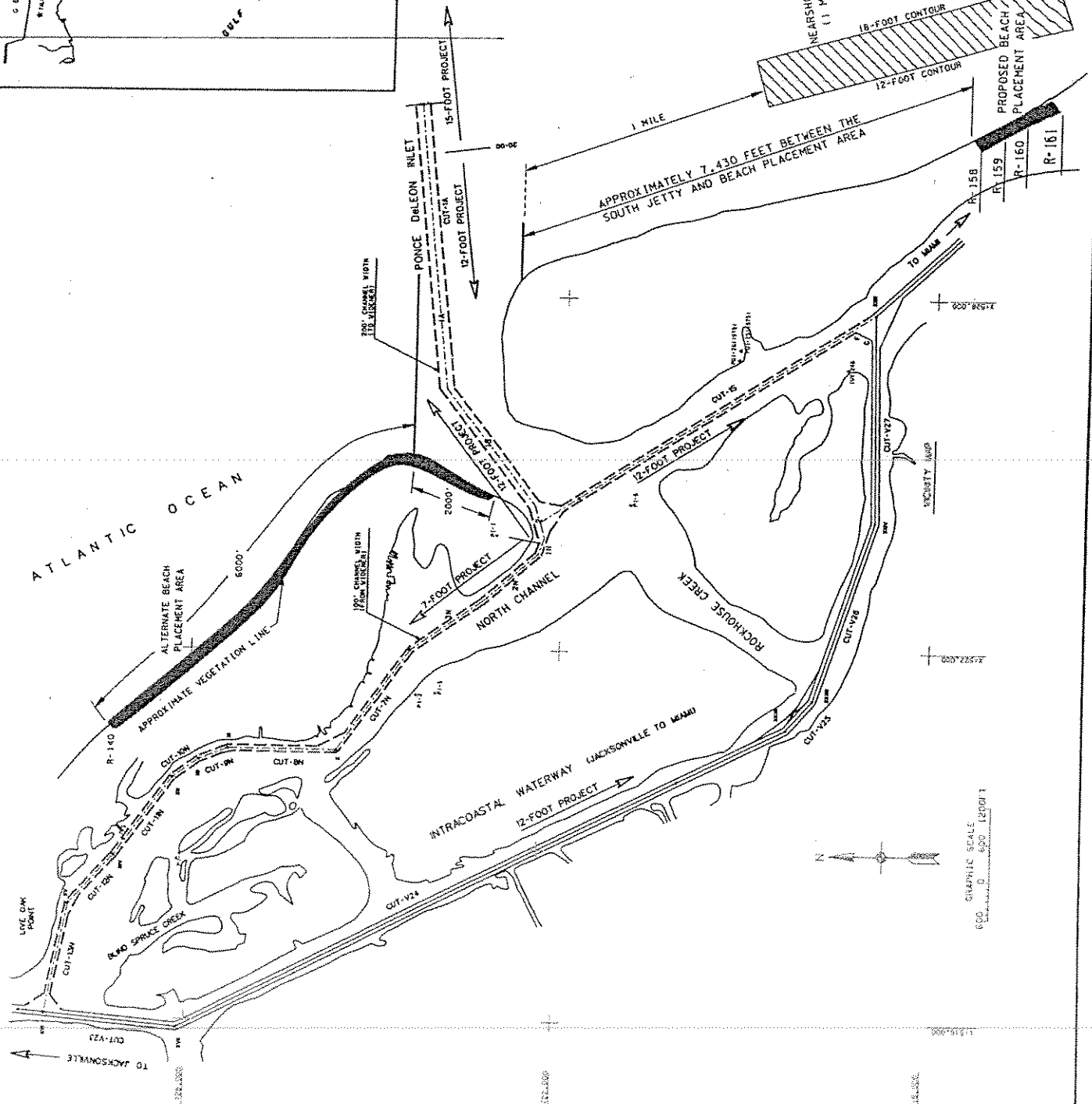
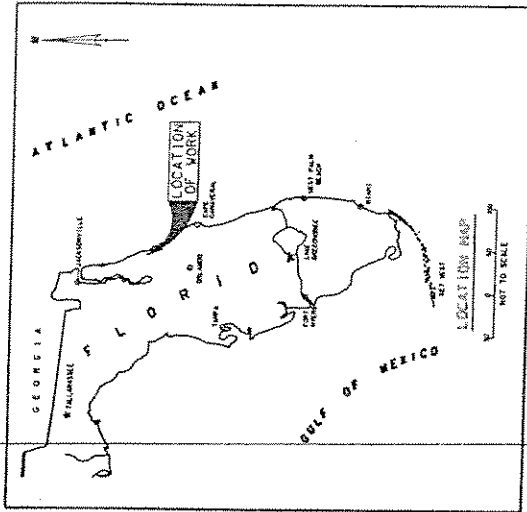
BUREAU OF BEACHES  
& COASTAL SYSTEMS

PERMIT NO. 129417001-76  
U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

PONCE DE LEON INLET  
LOCATION MAP

OCTOBER 1999 B. BRODEHL

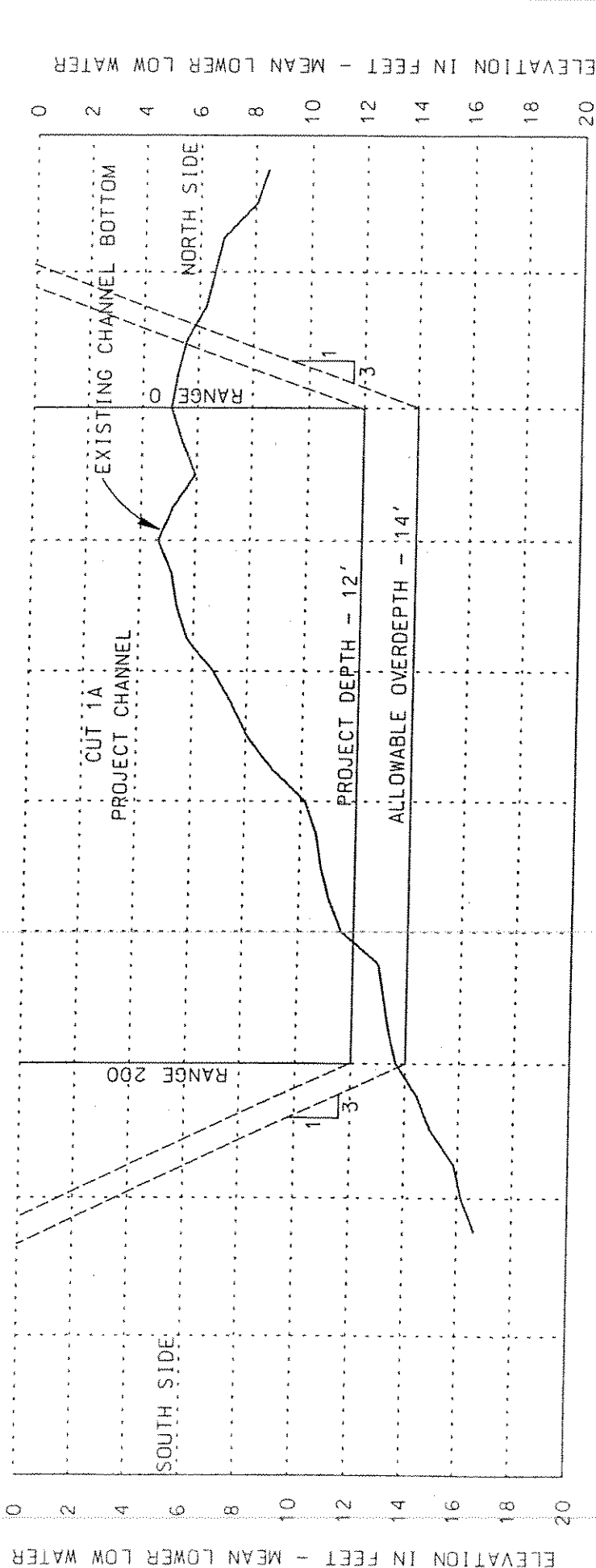
WQC DRAWING NO. 1 OF 9



RECEIVED

NOV 22 1999

BUREAU OF BEACHES  
& COASTAL SYSTEMS



TYPICAL CROSS SECTION

FOR

PONCE DE LEON - CUT 1A

STATION 49 + 00

PERMIT NO. 129417-0015

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

PONCE DE LEON INLET  
X-SECTION CUT 1A

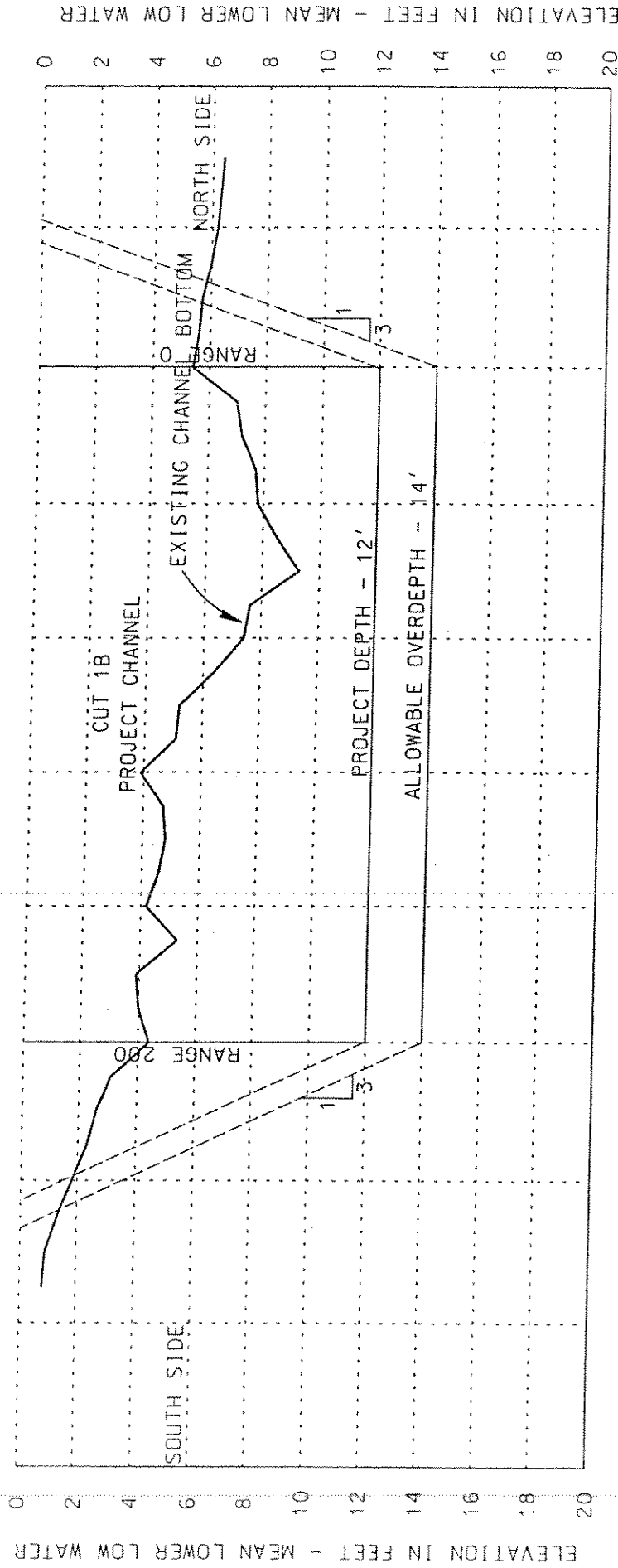
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RECEIVED

NOV 22 1999

BUREAU OF BEACHES  
& COASTAL SYSTEMS



(HOR.)

(VER.)

TYPICAL CROSS SECTION

FOR

PONCE DE LEON - CUT 1B

STATION 6 + 00

PERMIT NO. 129417-001-32

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

PONCE DE LEON INLET  
X-SECTION CUT 1B

NOVEMBER 1994 B. BRODEHL

WQC DRAWING NO. 3 OF 9

NOV 22 1999  
BUREAU OF BEACHES  
& COASTAL SYSTEMS



TYPICAL CROSS SECTION PERMIT NO. 129417-001-5c

PONCE DE LEON  
PROPOSED CUT 2  
STATION 4 + 00

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

PONCE DE LEON INLET  
X-SECTION CUT 2

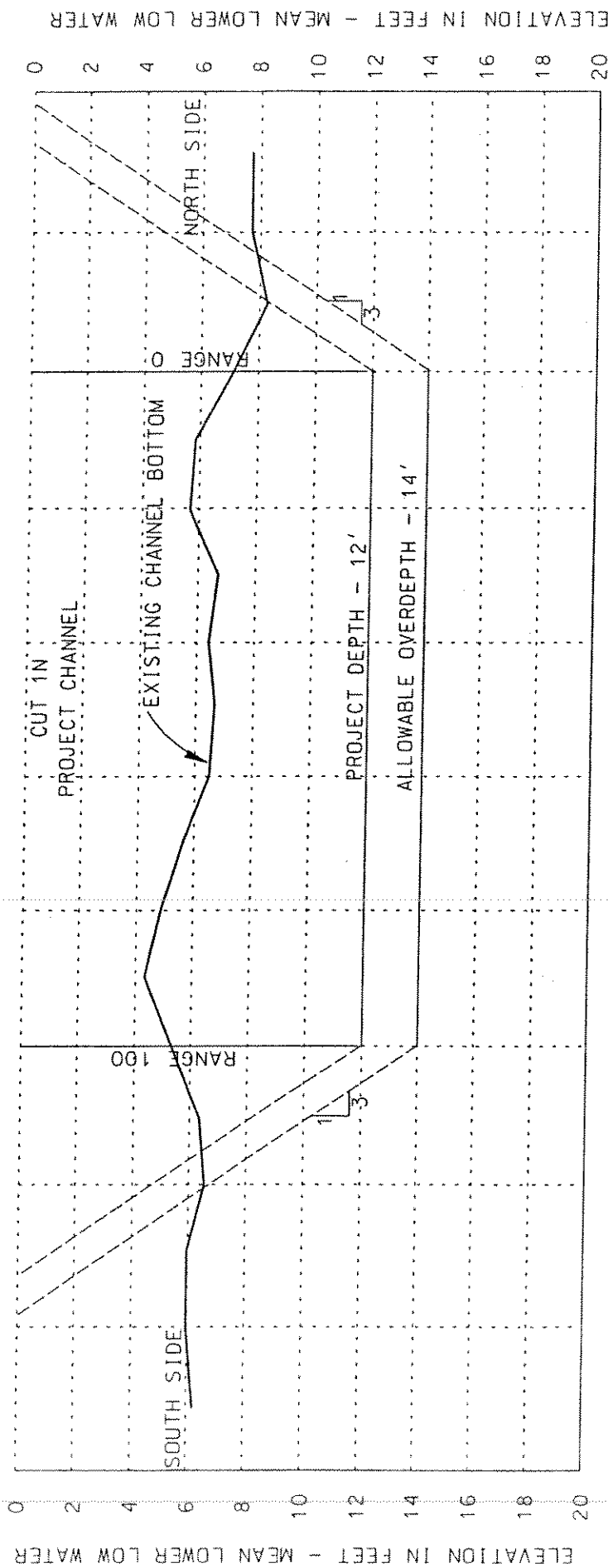
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WQC DRAWING NO. 4 OF 9

RECEIVED

NOV 22 1999

BUREAU OF BEACHES  
& COASTAL SYSTEMS



TYPICAL CROSS SECTION

PONCE DE LEON  
PROPOSED CUT 1N  
STATION 4 + 00

(HOR.)

(VER.)

PERMIT NO. 129417-001-JC

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

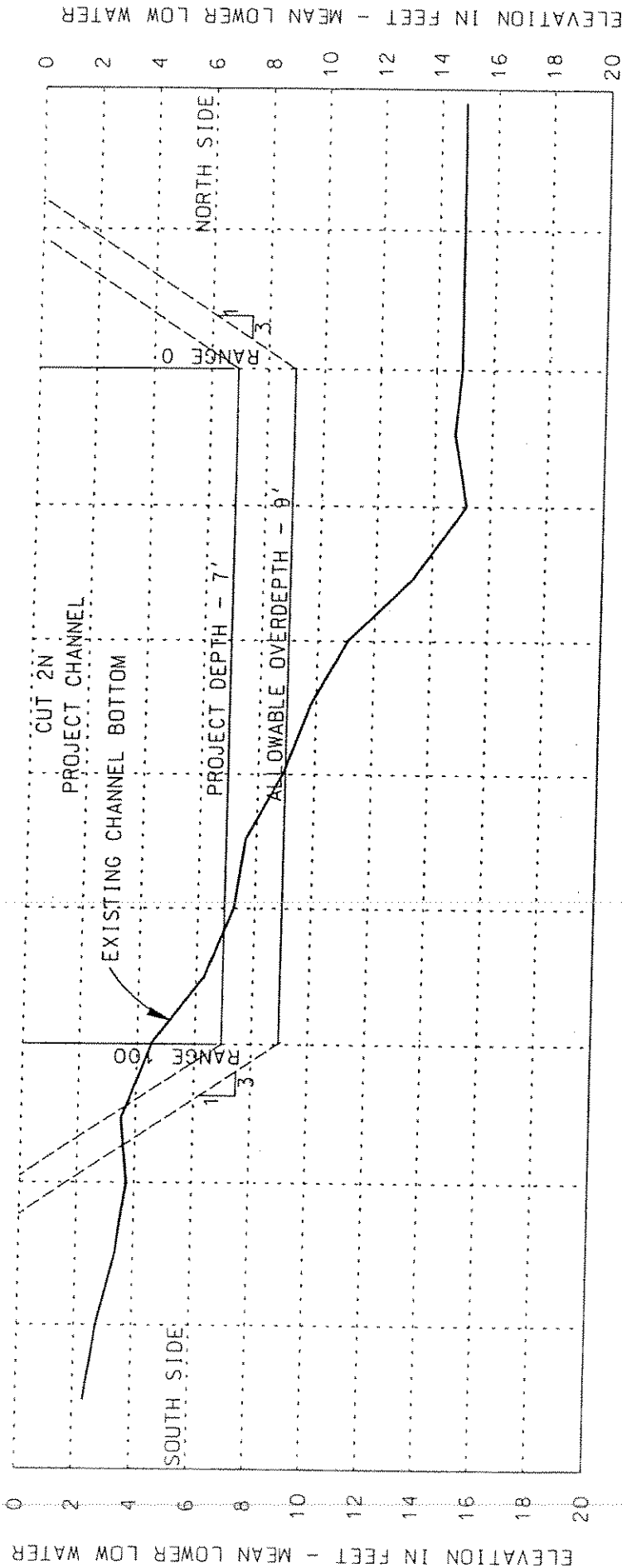
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X-SECTION CUT 1N

NOVEMBER 1994 B. BRODEHL

WQC DRAWING NO. 5 OF 9

RECEIVED

NOV 22 1999  
BUREAU OF BEACHES  
& COASTAL SYSTEMS



TYPICAL CROSS SECTION

PONCE DE LEON  
PROPOSED CUT 2N  
STATION 6 + 00

PERMIT NO. 129417-001-JC

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

PONCE DE LEON INLET  
X-SECTION CUT 2N

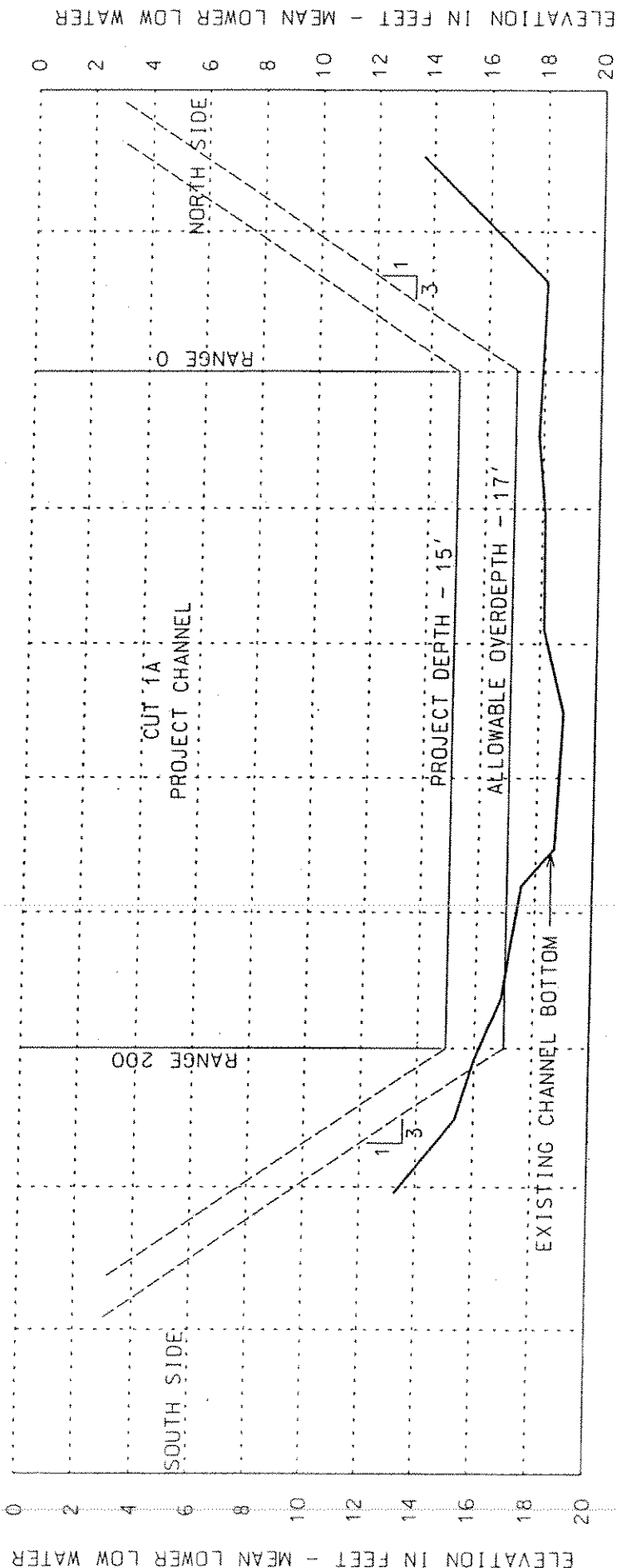
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WQC DRAWING NO. 6 OF 9



RECEIVED

NOV 22 1999  
BUREAU OF BEACHES  
& COASTAL SYSTEMS



TYPICAL CROSS SECTION

PONCE DE LEON

PROPOSED CUT 1A

OUTER CHANNEL

PERMIT NO. 129417001-7c

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

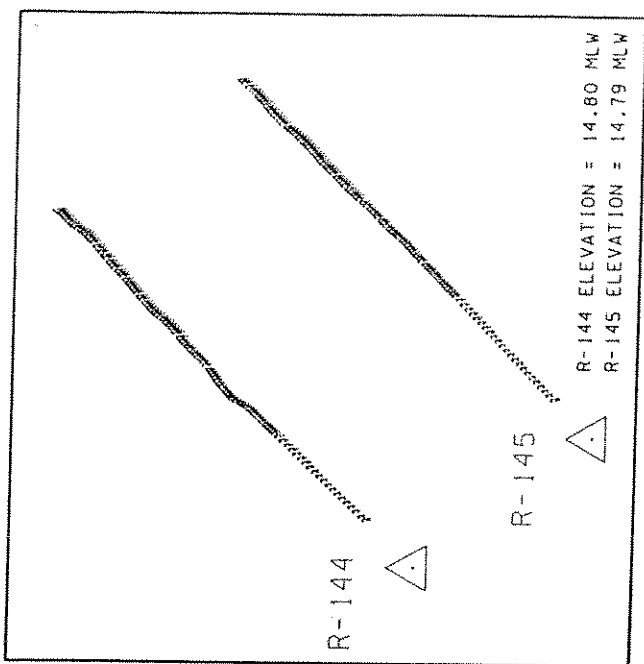
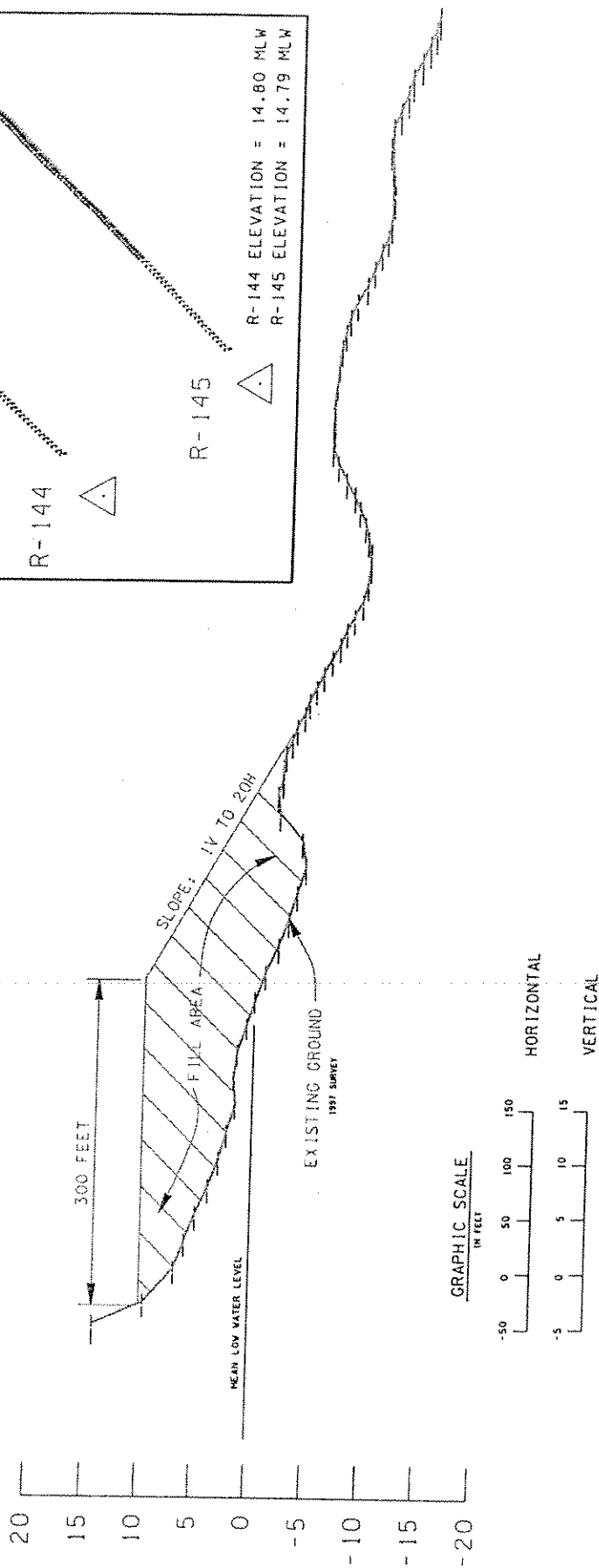
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X-SECTION CUT 1A

OCTOBER 1999 B. BRODEHL

WQC DRAWING NO. 7 OF 9

ELEVATION IN FEET ABOVE MEAN LOWER LOW WATER

PROFILE OFF MONUMENT R-144



RECEIVED

NOV 22 1999  
BUREAU OF BEACHES  
& COASTAL SYSTEMS

PERMIT NO. 129417001-JC

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

PONCE DE LEON INLET  
TYPICAL BEACH PROFILE

SEP 1998

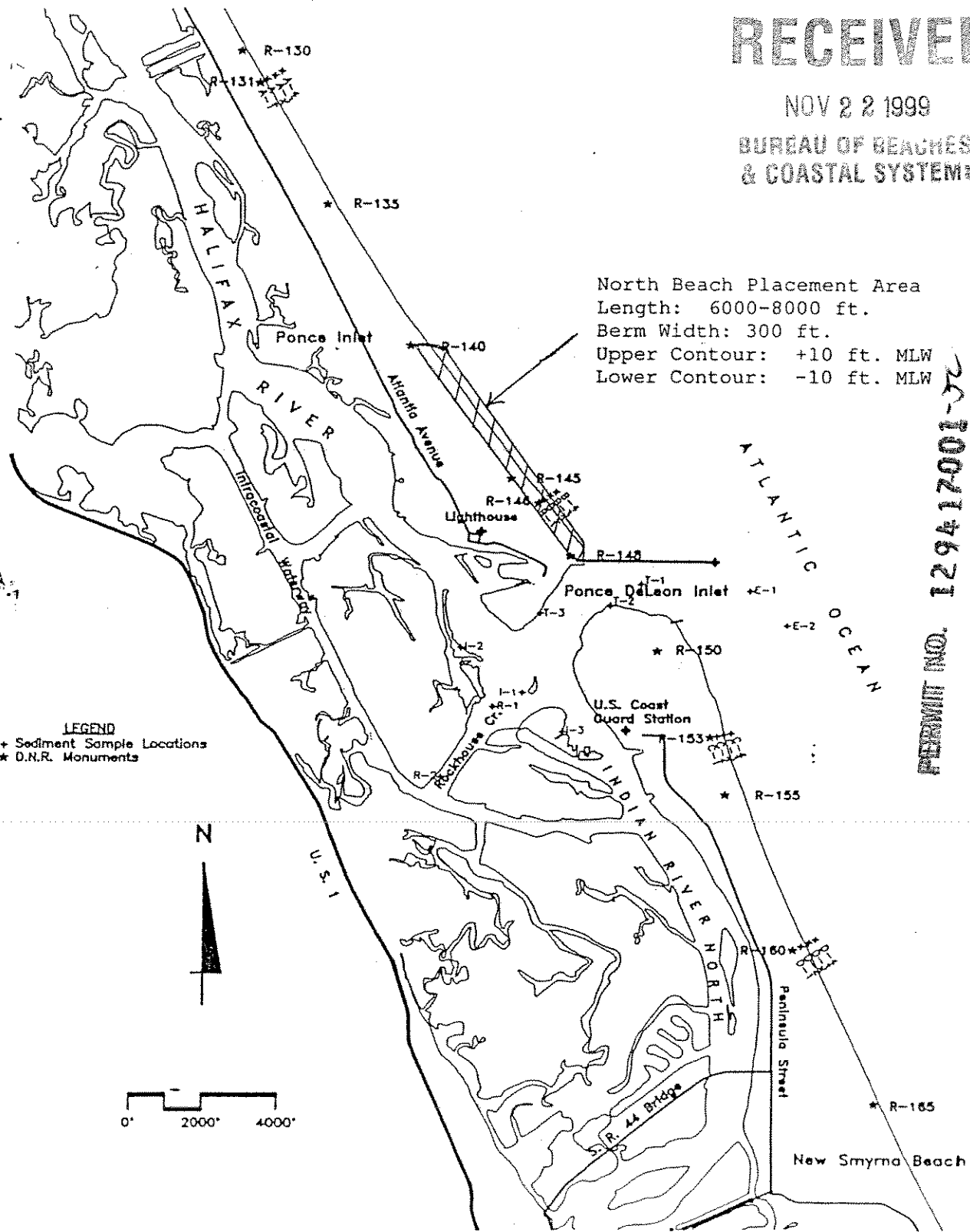
B. BRODEHL

WQC DRAWING NO. 8 of 9.

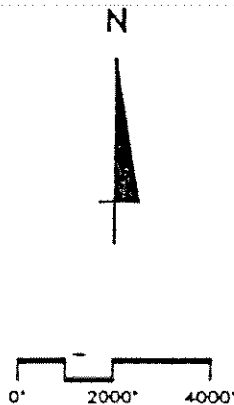
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NOV 22 1999

BUREAU OF BEACHES  
& COASTAL SYSTEMS



**LEGEND**  
+ Sediment Sample Locations  
\* D.N.R. Monuments



PERMIT NO. 129417001-37

PERMIT NO. 129417001-37

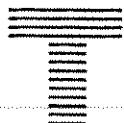
U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

PONCE DE LEON INLET  
NORTH BEACH PLACEMENT AREA

SEP 1998

B. BRODEHL

WQC DRAWING NO. 9 of 9

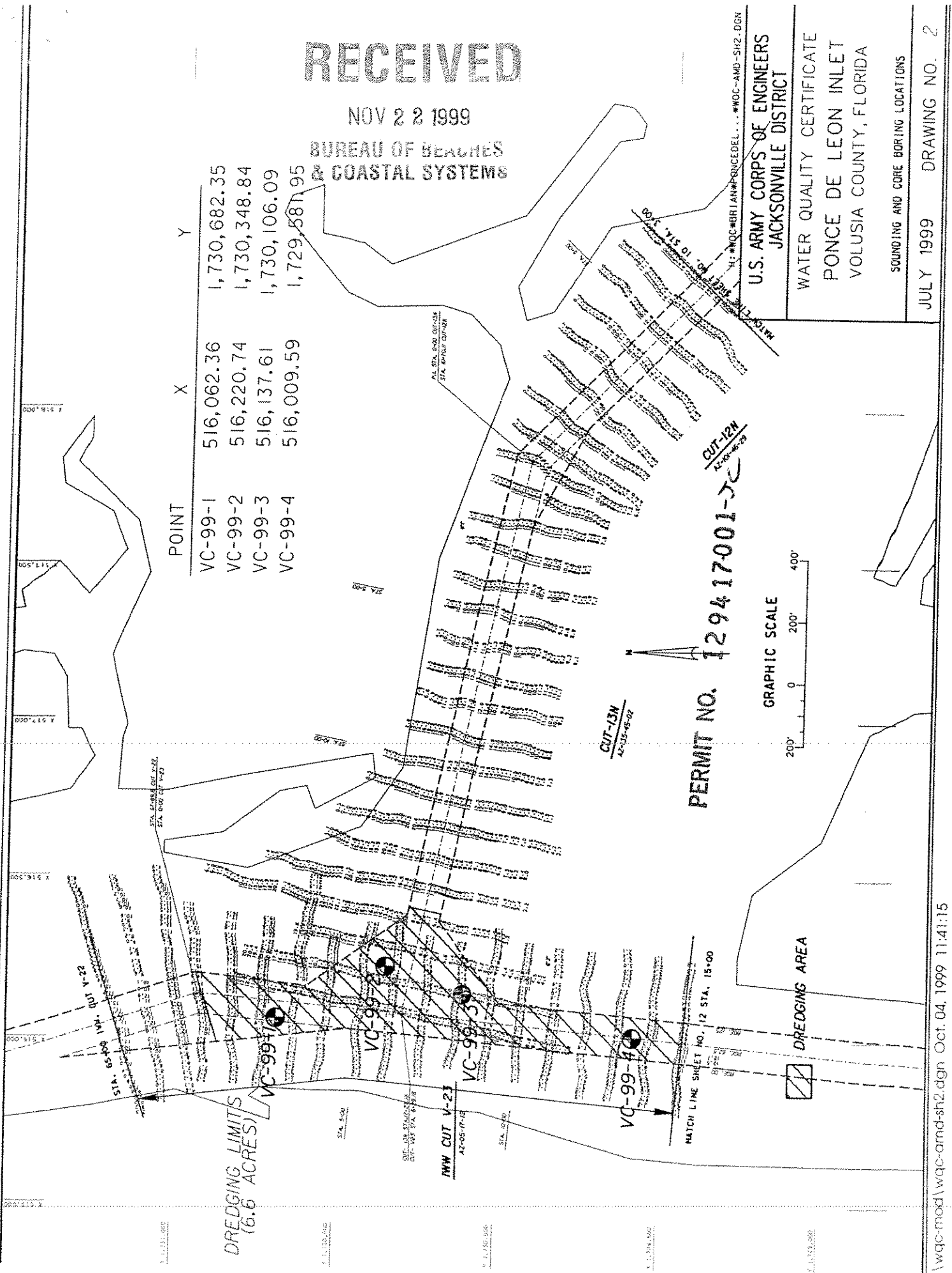


TAYLOR ENGINEERING INC  
9086 CYPRESS GREEN DRIVE  
JACKSONVILLE, FLORIDA 32256

Figure 2.6 Location of  
Collection S

BUREAU OF BEACHES  
& COASTAL SYSTEMS

POINT	X	Y
VC-99-1	516,062.36	1,730,682.35
VC-99-2	516,220.74	1,730,348.84
VC-99-3	516,137.61	1,730,106.09
VC-99-4	516,009.59	1,729,587.95

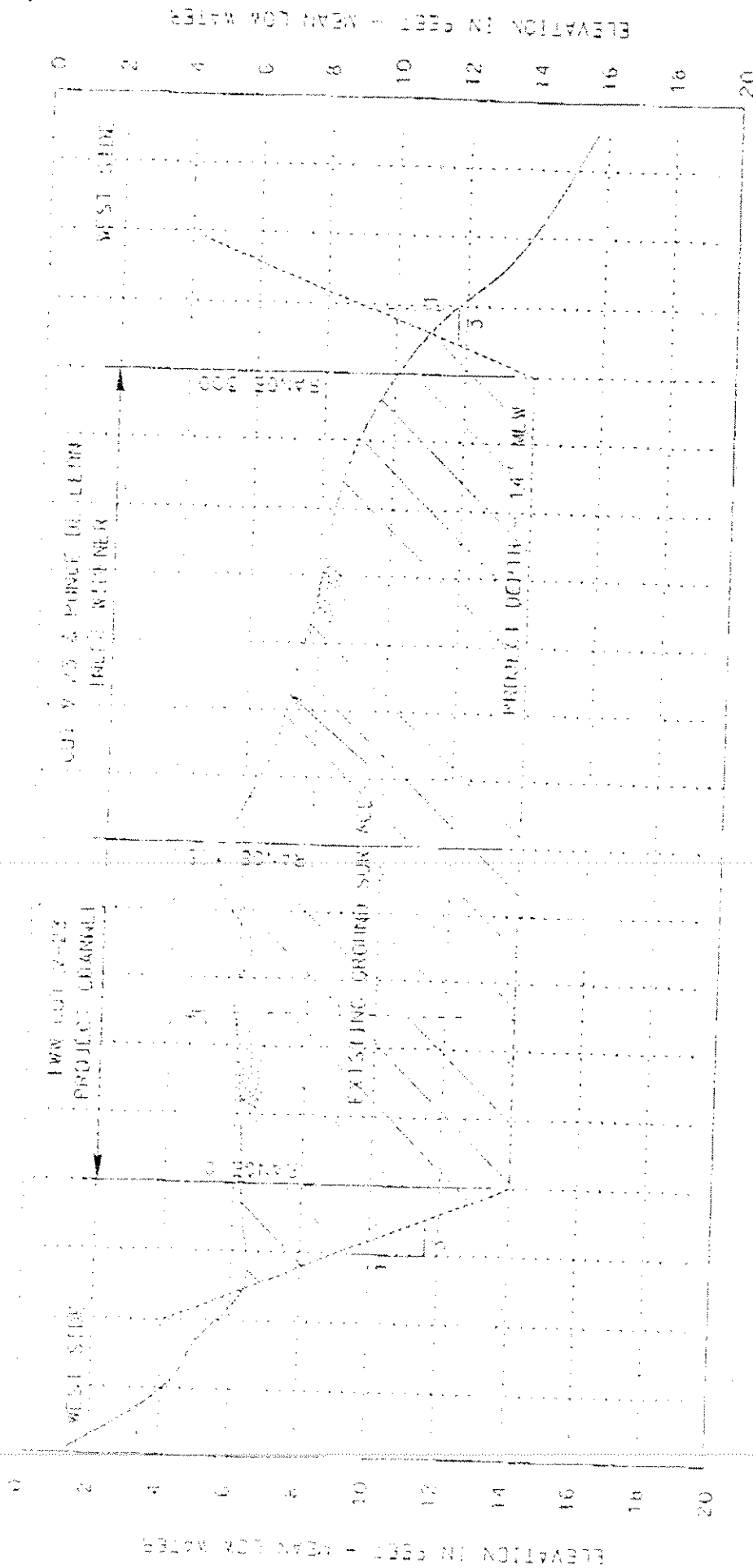


U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

WATER QUALITY CERTIFICATE  
PONCE DE LEON INLET  
VOLUSIA COUNTY, FLORIDA

### SOUNDING AND CORE BORING LOCATIONS

JULY 1999 DRAWING NO. 2



# TYPICAL CROSS SECTION @ STA. 5400 CUT V-23

GRAPHIC SCALES

25' 0" 25' 50' HORIZ.

2' 0" 2' 4' (VER.)

PERMIT NO. 129417-001-JC

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

WATER QUALITY CERTIFICATE  
PONCE DE LEON INLET  
VOLUSIA COUNTY, FLORIDA

TYPICAL CROSS-SECTION

JULY 1999 DRAWING NO. 3